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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Watson *et al.*

Group Art Unit: 2617

Application No. 10/029,172

Examiner: Hossain, Farzana E.

Filed: December 28, 2001

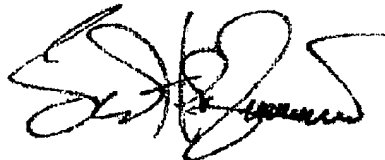
Attorney Docket: BS01326

Title: "Set Top Box with Firewall"

37 C.F.R. § 1.8 CERTIFICATE OF TRANSMISSION

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Scott P. Zimmerman
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April 12, 2006
Date of Transmission

37 C.F.R. § 1.143 Request for Reconsideration
of Requirement for Restriction

Director of Patents
P.O. Box 1450
Alexandria Virginia

Director:

This paper is filed in response to the Office Action, mailed March 20, 2006, in the above-identified application. The United States Patent and Trademark Office ("Office") imposed a restriction requirement. The Assignee hereby requests reconsideration and withdrawal of this restriction requirement.

BS01326

U.S. Application No. 10/029,172 Examiner Hossain Art Unit 2617
Response to Restriction Requirement

PROVISIONAL ELECTION

The Office alleges that this patent application contains two (2) groups of patentably distinct species. As 37 C.F.R. § 1.143 requires, the Assignee provisionally elects Group II and the claims 7-17.

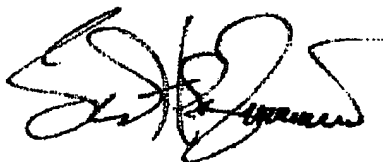
REPLY AND TRAVERSAL

The Assignee respectfully requests reconsideration and withdrawal of this restriction requirement. The Assignee traverses this restriction requirement by showing that no burden is present.

There is no "serious" burden for the Examiner. One criterion for restriction is that there must be a "serious burden" on the Examiner. See U.S. DEPT. OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 803 (8th Ed. 2001). Here, however, both groupings of claims are classified in Class 725. Although both groupings have different subclasses (subclasses 132 and 151), the Examiner will have to search both subclasses during examination of either claim group. Because the Examiner must search both subclasses, no matter what group is elected, there can be no burden on the examiner. The restriction requirement is thus improper and must be withdrawn.

If the Office has any questions, the Office is invited to contact the undersigned at (919) 387-6907 or scott@wzpatents.com.

Respectfully submitted,



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Attorney for Assignee